



USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#: _____
DATE FILED: 11/13/2020 man
Partner
Phone: 212.592.5985
Fax: 212.545.3424
amehlman@herrick.com

November 12, 2020

BY ECF

Hon. Andrew L. Carter, Jr.
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, New York 10007

MEMO ENDORSED

Re: *The New Y-Capp, Inc., et al. v. Arch Capital Funding, LLC, et al.*, Docket No. 1:18-cv-03223-ALC

Dear Judge Carter:

We are counsel to Defendant Yitzhak D. Stern (“Mr. Stern”) in the above captioned matter. We write to request approval for the following schedule, to which Plaintiffs consent, for Mr. Stern to move to dismiss the Third Amended Complaint (ECF No. 138). The proposed briefing schedule is as follows:

Moving brief:	December 1, 2020
Opposition brief:	December 22, 2020
Reply brief:	January 6, 2020

2021

Mr. Stern’s current deadline to answer or move to dismiss the Third Amended Complaint is currently November 16, 2020. This is Mr. Stern’s second letter to the Court with respect to the intended motion to dismiss the Third Amended Complaint. The prior request was granted in the Scheduling Order reflected in ECF Doc. No. 141. A proposed scheduling order is attached.

We appreciate the Court’s attention to this request.

Respectfully submitted,

/s/ Avery S. Mehlman

Avery S. Mehlman

cc: All counsel (by ECF)

SO ORDERED:

 HON. ANDREW L. CARTER, JR.
 UNITED STATES DISTRICT JUDGE
 Dated: November 13, 2020